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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,340	04/18/2006	Siew Leong Kan	1138.P041US/ADR/jt	9688
38556	7590	01/15/2009	EXAMINER	
LAWRENCE Y.D. HO & ASSOCIATES PTE LTD 30 BIDEFORD ROAD, #02-02, THONGSIA BUILDING SINGAPORE, 229922 SINGAPORE			YOHANNES, TESFAY	
		ART UNIT	PAPER NUMBER	
		4173		
		MAIL DATE	DELIVERY MODE	
		01/15/2009	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/576,340	KAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	TESFAY YOHANNES	4173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04/18/2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-9 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 18 April 2006 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

1. This application has been examined. Claims 1-9 are pending.

### ***Drawings***

2. The Examiner contends that the drawings submitted on 04/18/2006 are acceptable for examination proceedings.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in views of Ueda et al (US Patent # 7,161,695 B2.) and Kram et al (US Publication # 2003/0216949 A1).

Regarding claim 1, Brown discloses a wireless computer network planning system for planning a wireless computer network having a predetermined layout (Embodiments of the present invention provide a method of creating a network architecture planning tool, paragraph 7; planning system 100, paragraph 34), said system comprising: a template database for storing a plurality of templates (includes object templates to aid in the creation of new objects, paragraph 54); a template identifier coupled to the template database, said template identifier for receiving search terms and for searching said template database for matching templates; (receiving at a user computer a list of object templates from a host computer system, selecting an object template from a list of object templates, paragraph 8). Brown substantially discloses a wireless computer network planning system for planning a wireless computer network having a predetermined layout (planning system 100, paragraph 34). Brown does not explicitly disclose a network performance contour overlay generator. However, Ueda et al disclose a network performance contour overlay generator for creating network performance contour overlays from performance parameters extracted

from said matching templates (An overlay generator 48 creates overlays of pre-selected layers for presentation and a report generator 50 provides a final graphical output set to the format predetermined by the user, paragraph 23). Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention was made, to take the teachings of Ueda et al, related to overlay generator and apply to the teachings of Brown, in order to create network performance contour overlays from performance parameters extracted from matching templates. Furthermore, the teachings of Brown and Ueda do not explicitly disclose a network performance contour overlay superimposer for receiving predetermined layout. However, Kram et al disclose a network performance contour overlay superimposer for receiving predetermined layout and for superimposing at least one of said network performance contour overlays onto predetermined layout producing a superimposed layout (the image processor saves the additional information, and the output controller executes a superimpose process for the received first image information and the saved additional information and causes the given printing device to print an result of the superimpose process, paragraph 22). Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention was made, to take the teachings of Kram et al related to network performance contour overlay superimposer and apply to the combined teachings of Brown and Ueda, in order to receive predetermined layout and for superimposing at least one of the network performance contour overlays onto predetermined layout producing a superimposed layout.

Regarding claim 2, Brown discloses a system, wherein said template database comprises a test-bed template database and a simulation template database (The objects and links are stored in a database or other storage arrangement suitable for the specific embodiment, paragraph 46).

Regarding claim 3, Brown discloses a system, wherein said plurality of templates comprises a plurality of test-bed templates and a plurality of simulation templates (Every object can be classified into a discrete set of object types. Thus, some embodiments of the present invention include object templates to aid in the creation of new objects, paragraph 54).

Regarding claim 4, Brown discloses a system, further comprising a displaying means for displaying said superimposed layout (The method includes receiving at a host computer system a request from a user computer to display a first object template, paragraph 7).

Regarding claim 5, Brown substantially discloses a system, further comprising a displaying means for displaying superimposed layout (The method includes receiving at a host computer system a request from a user computer to display a first object template, paragraph 7). Brown does not explicitly disclose a reproduction means for printing said superimposed layout onto some media means. However, Ueda et al disclose a reproduction means for printing superimposed layout onto some media

means (The print data generator 304b superimposes the additional information on the edited image supplied from the server 2 and prepares the printing data for a printer 305., paragraph 64). Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention was made, to take the teachings of Ueda et al, related to a reproduction means for printing said superimposed layout onto some media means and apply to the teachings of Brown, in order to print superimposed layout onto some media.

Regarding claim 6, Brown discloses a method for planning a wireless computer network for a predetermined layout (a method of creating a network architecture planning tool, paragraph 7), said method comprising the steps: a. receiving said predetermined layout and search terms (includes receiving at a host computer system a request from a user computer to display a first object template, paragraph 7); b. searching a template database for suitable matching templates based on said search terms; (selecting an object template from a list of object templates, entering information defining an object, paragraph 8).  
c. creating at least one network performance contour overlay from said matching templates (note Brown claim 1); and  
d. superimposing said at least one network performance contour overlay onto said predetermined layout (note claim 1).

Regarding claim 7, Brown discloses a method in accordance with claim 6, wherein said step b. further comprises the steps:

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b1. Receiving search terms (defining a condition for each of the at least one next objects, and transmitting information relating to the at least one next object and the conditions to a host computer system, paragraph 8); and

b2. Searching a simulation template database and a test-bed template database, in said template database (selecting an object template from a list of object templates, entering information defining an object, paragraph 8).

Regarding claim 8, Brown discloses a method in accordance with claim 6, wherein said step c. further comprises the steps: c1. Receiving desired performance parameters identifying parameters relating to projects that determine applicable ones of the requirements, paragraph 8)

c2. Extracting said desired performance parameters data from said matching templates in said template database (creating at least one step for each parameter that acquires information relating to the parameter, paragraph 8); and

C 3. Generating network performance contour overlays from said desired performance parameters data (note claim 1).

Regarding claim 9, Brown discloses a method in accordance with claim 6, after step b. comprising step c: assigning a matching template if step b. produces no matching template (selecting an object template from a list of object templates, paragraph 8).

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tesfay Yohannes whose telephone number is (571) 270-7528. The examiner can normally be reached on M-F 8am-5:30pm (alternate Fridays off). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jinhee Lee can be reached on (571) 272-1977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. Y./  
Examiner, Art Unit 4173

/Yemane Mesfin/  
Examiner, Art Unit 2444